

In pursuance of the provisions of clause (3) of Article 348 of "the Constitution of India", the Governor is pleased to order the publication of the following English Translation of notification no.....dated for general information.

**GOVERNMENT OF UTTARAKHAND
HOME SECTION-4
No - 662/XX-4/2018-45(Karagar)/2016
Dehradun, Dated : 06 APRIL 2018**

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of all existing Rules and order on the subject, the Governor is pleased to make the following Rules regulating recruitment and the condition of service of persons appointed to the Uttarakhand Jail Department Pharmacist/Chief Pharmacist Service.

**UTTARAKHAND JAIL DEPARTMENT PHARMACIST/
CHIEF PHARMACIST SERVICE RULE, 2018**

**PART – 1
GENERAL**

Short title and commencement	1	(1) These Rules may be called Uttarakhand Jail Department Pharmacist/Chief Pharmacist Service Rule, 2018. (2) These rules shall come into force at once.
Status of the Service	2	The Uttarakhand Jail Department pharmacist and Uttarakhand Jail Department Chief pharmacist services are such as service in which there are Group 'B' & Group 'C' Posts are included.
Definitions	3	In these rules unless there is anything repugnant in the subject or content (a) 'Appointing Authority' means Inspector General of Jail, Uttarakhand in case of Pharmacist and Principal Secretary/Secretary Home Department Uttarakhand Government in case of Chief Pharmacist ; (b) 'Citizen of India' means a person who is or is deemed to be a citizen of India under Part II of the Constitution ; (c) 'Commission' means the Uttarakhand Subordinate Service Commission"; (d) 'Constitution' means the Constitution of India ; (e) 'Government' means the State Government of Uttarakhand ; (f) 'Governor' means the Governor of Uttarakhand ; (g) 'Member of the Service' means a person substantively appointed under these rules of or order in force prior to the commencement of these rules to a post in the cadre of the service ; (h) 'Service' means the Uttarakhand Jail Pharmacist service ; (i) 'Substantive appointment' means an appointment, not being an ad hoc appointment, on a post in the cadre of the service and made after selection in accordance with the rules and, if there were no rules, in accordance, with the procedure prescribed for the time being by executive instruction issued by the Government ; and (j) 'Year of recruitment' means a period of twelve months commencing from the first day of July of a calendar year.



PART – 2 CADRE

Cadre of Service

4 (1) The strength of the service and of each category of posts therein shall be such as may be determined by the Government from time to time.

(2) The strength of the service and each category of posts therein, until orders varying the same are passed under sub-rule(1) shall remain same as given in Appendix 'A' ;
Provide that -

(i) The appointing authority may leave unfilled or the Governor may hold in abeyance any vacant post, without thereby entitling any person to compensation ;

(ii) The Governor may create such additional permanent and temporary post as he may deems fit.

PART – 3 RECRUITMENT

Source of Recruitment

5 Recruitment to the various categories of the post in the service shall be made from the following sources -

(1) Chief Pharmacist - Recruitment by promotion to the post of Pharmacist, who has completed his minimum 12 years service, by Departmental Selection Committee on the basis of seniority.

(2) Pharmacist – By direct recruitment through Uttarakhand Subordinate Service Commission .

Reservation

6 Reservation for the candidates belonging to Schedule Castes, Scheduled tribe, Other backward classes and other Categories belonging to the State of Uttarakhand shall be accordance with the order of the Government in force at the time of the recruitment.

PART – 4 QUALIFICATION

Nationality

7 A candidate for direct recruitment to a post in the service must be -

(a) A citizen of India ; or

(b) A Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India ; or

(c) A person of Indian origin has migrated from Pakistan, Burma, Srilanka or any of the East African counties of Kenya, Uganda and the United Republic of Tanzania (formally Tanganika and Zanzibar) with the intention of permanently settling in India :

Provided that a candidate belonging to category (b) or (c) above, must be a person in whose favour a certificate of eligibility has been issued by the State Government :

Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of eligibility, granted by the Deputy Inspector General of Police, Intelligence Branch Uttarakhand :

Provided also that if a candidate belongs to category (c) above, no certificate of eligibility will be issued for a period of more than one year and the retention of such a candidate in service beyond a period of one year, shall be subject to his acquiring Indian citizenship.

Note – A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused, may be admitted to an examination or interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

Academic Qualification	8	A candidate for the direct recruitment to the post of Pharmacist should possess the following qualifications: <ul style="list-style-type: none"> (i) It is necessary to pass intermediate exam with biology or mathematics from Board of Secondary Education, Uttarakhand or any equivalent exam recognized by the government. (ii) For direct recruitment on posts in the service, it is necessary that the candidate holds a pharmacy diploma from a recognized institution and also registered in state pharmacy council uttarakhand. (iii) Working knowledge of Hindi in Devnagri script.
Preferential Qualification	9	A candidate who has - <ul style="list-style-type: none"> (i) Served in the Territorial Army for a minimum period of two years, or (ii) Obtained a 'B' certificate of National Cadet Corps, shall be given preference.
Mandatory/Desirable Qualification	10	For direct recruitment this is mandatory that the candidate name shall be registered in any employment office of Uttarakhand State.
Age	11	A candidate for direct recruitment if Posts are advertised between 01 January to 30 June, than 1 January of the year of recruitment, must have attained the age 21 years and must not have attained the age of more than 42 years and if posts are advertised between 01 July to 31 December, then on 1 July of the year of recruitment, must have attained the age of 21 years and must not have attained the age of more than 42 years; <p style="text-align: center;">Provided that the upper age limit in the case of candidates belonging to the Scheduled Caste, Scheduled Tribes, Other Backward Classes and such other categories as may be notified by the Government from time to time shall be increased by such number of years as may be prescribed.</p>
Character	12	The character of a candidate for direct recruitment to a post in the service must be such as to render him suitable in all respect for employment in Government service. The appointing authority shall satisfy itself on this point. <p style="text-align: center;">Note – Person dismissed by the union Government or a State Government or by a Local Authority or a Corporation or Body owned or controlled by the Union Government or a State Government shall be ineligible for appointment to any post in the Service. Persons convicted of an offence involving moral turpitude shall also be ineligible.</p>
Marital Status	13	A male candidate who has more than one wife living and A female candidate who has more than one husband living or shall not be eligible for appointment to a post in the service ; <p style="text-align: center;">Provided that the Government may, if satisfy that there exist special grounds for doing so, exempt any male or female from the operation of this rule.</p>
Physical Fitness	14	No candidate shall be appointed to a post in the service unless he be in good mental and bodily health and free from any physical defect likely to interface with the efficient performance of his duties. Before a candidate is finally approved for appointment he shall be required : <p style="text-align: center;">In the case of Services it is required to produce a Medical Certificate of fitness in accordance with the rules framed under Fundamental rule 10, contained in chapter III of the Financial Handbook, Volume II, Part III ;</p> <p style="text-align: center;">Provided that a medical certificate of fitness shall not be required from a candidate recruited by promotion.</p>

Provided further that disabled person shall not be denied to appoint on the post identified for this purpose in order of section 33 and in categories identified under section 34 of "The person with Disability Act, 2016 (central act no.49 year 2016)".

PART – 5 **PROCEDURE FOR RECRUITMENT**

Determination of vacancies	15	The Appointing Authority shall determine the number of vacancies to be filled during the course of the years as also the number of vacancies to be reserved for candidate belonging to the Scheduled Castes, Scheduled Tribes, Other Backward Classes and other Categories belonging to the State of Uttarakhand under rule 6 and shall intimate to commission.
Procedure of Direct Recruitment	16	(1) The direct recruitment of posts of Group 'C' (Outside the Purview of Uttarakhand Public Service Commission) by Uttarakhand Subordinate Service Selection Commission shall be done under Recruitment rule, 2008 as amended. (2) Appointing authority shall provide requisition for recruitment to the Uttarakhand Subordinate Service Selection Commission in prescribed proforma computing the vacant post. Wherein reserved post proportional to the vertical and horizontal reservation shall be computed only. (3) Uttarakhand Subordinate Service Selection Commission after publication of the advertisement, shall complete the selection process under this Rule and submit his recommendation to Appointing Authority.
Procedure of recruitment of Chief Pharmacist by Promotion	17	(1) Uttarakhand Departmental Promotion Committee shall be constituted through the departmental selection committee constituted in accordance with the provisions of Rules 2002 for the post of outside the Preview of Public Service Commission. (2) The Appointing Authority shall prepare an eligibility list of (for the post of outside the Preview of Public Service Commission) Rules, 2002 the candidates arranged in order of seniority, and place it before the Selection Committee along with their character rolls and such other record, pertaining to them, as may be considered proper. (3) The Departmental Selection Committee shall consider the cases of candidates on the basis of the records, referred to in sub-rule (2), and, if it considers necessary, it may interview the candidates also. (4) The Departmental Selection Committee shall prepare a list of selected candidates and forward the same to the Appointing Authority.

PART – 6 **APPOINTMENT, PROBATION, CONFIRMATION AND SENIORITY**

Appointment	18	The Appointing Authority shall make appointment by taking the names of candidate in the order in which they stand in the list prepare under rule 15.
Probation	19	(1) A person on appointment to a post or service in or against a permanent vacancy shall be placed on probation for a period of two years. (2) The Appointing Authority may, for reasons to be recorded, extend the period of probation in individual cases, specifying the date upto which the extension is granted.

Provided that, save in exceptional circumstances, the period of probation shall not be extended beyond one year and in

		<p>no circumstances beyond two years.</p> <p>(3) If it appears to the Appointing Authority at any time during or at the end of the period of probation and extend period of probation that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction he may be reverted to his substantive post, if any, and if he does not hold a lien on any post, his service may be dispensed.</p> <p>(4) A probationer who is reverted or whose service are dispensed with under sub-rule (3) shall not be entitled to any compensation.</p> <p>(5) The Appointing Authority may allow continuous service, rendered in an officiating or temporary capacity in a post including in the cadre or any other equivalent or higher post, to be taken into account for the purpose of computing the period of probation</p>
Confirmation	20	<p>A probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of the probation -</p> <p>(a) His work and conduct is reported to be satisfactory.</p> <p>(b) His integrity is certified, and</p> <p>(c) The Appointing Authority is satisfied that he is otherwise fit for confirmation.</p>
Seniority	21	<p>Seniority of substantively appointed people may be determined by the applicable Uttarakhand Government Servant Seniority Rule, 2002 from time to time.</p>
		<p>PART - 7 PAY ETC.</p>
Pay scale	22	<p>(1) The pay scale admissible to person appointed to various category of post shall be as such as may be determined by the Government from time to time.</p> <p>(2) The pay scale at the time of commencement of this rule is given in Appendix 'A'.</p>
Pay during probation	23	<p>(1) Notwithstanding any provision in the Fundamental Rules to the contrary, a person on probation, if he is not already in permanent Government service, shall be allowed his first increment in the time scale when he has completed one year of satisfactory service has passed departmental examination and undergone training where prescribed and second increment after two years service when he has completed the probationary period and is also confirmed.</p> <p style="text-align: center;">Provided that if the period of probation is extended on account of failure to give satisfaction such extension shall not be counted for increment unless the appointing authority directs otherwise.</p> <p>(2) The pay during promotion of a person who was already holding a post under the Government shall be regulated by the relevant fundamental Rules.</p> <p style="text-align: center;">Provided that if the period of probation is extended on account of failure to give satisfaction such extension shall not be counted for increment unless the appointing authority directs otherwise.</p>

(3) The pay during probation of a person already in permanent Government service shall be regulated by the relevant Rules, applicable generally to Government Servants serving in connection with the affairs of the State

PART - 8 OTHER PROVISIONS

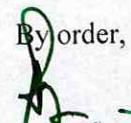
Canvassing 24 No recommendations, either written or oral, other than those required under these rules applicable to the post or Service will be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature will disqualify him for appointment.

Regulation of other matters 25 In regard to the matters not specifically covered by these rules or by special orders, persons appointed to the Service shall be governed by the rules, regulations and orders applicable generally to Government servants serving in connection with the affairs of the state.

Relaxation from the condition of service 26 Where the State Government is satisfied that the operation of any rule regulating the conditions of Service of person appointed to the Service causes undue hardship in any particular case, it may, notwithstanding anything contained in the rules applicable to the case, by order, dispense with or relax the requirements of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner:
Provided that if a rule was framed in consultation with the Commission the requirements of that rule shall not be dispensed with or relaxed without the Commission being consulted before hand.

Savings 27 Nothing in these Rules shall affect reservations and other concessions required to be provided for the candidate belonging to the scheduled castes, scheduled tribes and other special categories of person in accordance with the orders of the Government issued from time to time in this regard

By order,



(Anand Bardhan)
Principal Secretary

APPENDIX --- 'A'
{ (See Rule 4(2) and Rule-22(2) }

SL. No.	Name of Post	Pay Scale	Sanction Post
1	Pharmacist	Rs.35400-112400 Level-6	15
		(After 02 Year Service) Rs. 44900-142400 Level-7	
2	Chief Pharmacist	Rs. 56100-177500 Level-10	04

